

October 22, 2003

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on October 22, 2003, 10:00 a.m. Present were Commissioners Clark, Wefald, and Cramer.

Minutes

Mr. Cramer: I move the minutes of October 9, 2003, be approved.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Bills

Mr. Cramer: I move the following bills, as reviewed by the Commission, be approved and paid:

Great Capital Lunchroom	20.00
ND Newspaper Association	1,138.60
Hewlett-Packard Company	2,790.00
West Group Payment Center	64.50
Ben Johnson Associates, Inc.	405.00
Wayne Grangaard	251.19
IMCC	50.00
Snavelly King Majoros O'Connor & Lee, Inc.	5,463.76
UniqueScreen Media	1,683.33
C & A Advertising	2,316.64
Leo D. Praus	230.40
Cellular One	225.11
FedEx	6.48
Thiem Drilling, Inc.	36,086.00
SHEA-PC	1,447.00
Crete Grain Co., Inc.	100.00
Hewlett-Packard Company	2,450.00
Anthony T. Clark	128.00
U.S. Bankruptcy Court	75.00
Facilities Management	1,208.14
North Dakota Geological Survey	622.55
ITD	1,831.61
Elan	4,803.35
PERS - seminar	20.00
Industrial Commission	622.55
DOT	14,529.13
ITD – phone charges	1,537.89
Central Services – printing	901.43

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2935-03-546  
WDT World Discount  
Telecommunications Co.  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to WDT World Discount Telecommunications Co. to resell interexchange telecommunications services in North Dakota, Case No. PU-2935-03-546.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2946-03-572  
McGraw Communications, Inc.  
Long Distance Reseller  
Application

Mr. Cramer: I move the Commission issue a Certificate of Registration to McGraw Communications, Inc. to resell interexchange telecommunications services in North Dakota, Case No. PU-2946-03-572.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2948-03-576  
Granite Telecommunications, LLC  
Long Distance/Local Exchange  
Reseller  
Application

Mr. Cramer: I move the Commission issue Certificates of Registration to Granite Telecommunications, LLC to resell interexchange and local exchange telecommunications services in North Dakota, Case No. PU-2948-03-576.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-531  
Montana-Dakota Utilities Co., a  
Division of MDU Resources Group, Inc  
West River Telecommunications, New  
Salem, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to West River Telecommunications for a signal boosting station site near New Salem, North Dakota, Case No. PU-399-03-531.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2805-03-543  
Otter Tail Corporation  
Crete Grain Inc., Crete, ND  
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order issuing a Certificate of Public Convenience and Necessity authorizing Otter Tail Corporation to extend electric service to Crete Grain, Inc. for an office site near Oakes, North Dakota, Case No. PU-2805-03-543.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-896-03-520  
Martin Heinze - Auctioneer License  
Suspension/Revocation  
\*

Mr. Cramer: I move the Commission issue an order in Case No. AU-896-03-520 revoking auctioneer license number 724 of Martin Heinze, Dazey, North Dakota, for failure to maintain adequate bond coverage.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2342-03-569  
Qwest Corporation  
Performance Indicator Definitions  
Approval  
Notice of Opportunity

Mr. Clark: I move the Commission issue a Notice of Opportunity to File Written Comments and Notice of Opportunity for Hearing in Case No. PU-2342-03-569, Qwest Corporation's Performance Indicator Definitions.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2948-03-577  
Granite Telecommunications, LLC  
Local Exchange  
Public Convenience & Necessity  
Notice of Opportunity

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing in the captioned application for a certificate of public convenience and necessity to provide facilities based local exchange telecommunication services in North Dakota.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-1226-03-597  
Northwest Dakota Cellular of North  
Dakota Limited Partnership  
Designated Eligible Carrier  
Application

Mr. Clark: I move the Commission issue a Notice of Opportunity for Hearing and Notice of Informal Hearing in the above captioned applications for eligible carrier designation.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-386-03-598  
North Central RSA 2 of ND Limited  
Partnership  
Designated Eligible Carrier  
Application

Case No. PU-897-03-599  
North Dakota RSA No. 3 Limited  
Partnership  
Designated Eligible Carrier  
Application

Case No. PU-1225-03-600  
Badlands Cellular of North Dakota  
Limited Partnership  
Designated Eligible Carrier  
Application

Case No. PU-338-03-601  
North Dakota 5 - Kidder Limited  
Partnership  
Designated Eligible Carrier  
Application

Case No. PU-494-03-602  
Bismarck MSA Limited Partnership  
Designated Eligible Carrier  
Application  
Notice of Opportunity

Case No. GE-2461-03-570  
Lone Prairie Grain, Inc.  
Rugby, ND  
Insolvency

Mr. Clark: I move that the Commission apply to the Northeast Judicial District Court to be named trustee of Lone Prairie Grain, Inc. at its Tunbridge, North Dakota, facility under N.D.C.C. Chapter 60-04, Public Service Commission Case No. GE-2461-03-570.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-2951-03-603  
Farmers Union Oil Company of Adams  
Grain Warehouse - Adams, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-2951-03-603 granting the request of Farmers Union Oil Company of Adams to operate a 75,000-bushel grain warehouse at Adams, North Dakota, effective October 20, 2003.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-28-03-604  
Farmers Mill & Elevator Co  
License No. 342 - Great Bend, ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-28-03-604 granting the request of Farmers Mill & Elevator Co., Hankinson, North Dakota, to discontinue business at Great Bend, North Dakota.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-847-03-605  
CHS, Inc.  
Facility-Based Grain Buyer- Walcott,  
ND  
Discontinue Business

Mr. Clark: I move the Commission issue an order in Case No. GE-847-03-605 granting the request of CHS, Inc., St. Paul, Minnesota, to discontinue business as a facility-based grain buyer at Walcott, North Dakota, effective September 23, 2003.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-2952-03-606  
Anderson Seed Co., Inc.  
Grain Warehouse - Durbin, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-2952-03-606 granting the request of Anderson Seed Co., Inc. to operate a 296,000-bushel grain warehouse at Durbin, North Dakota, effective October 10, 2003.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-935-03-607  
Crete Grain Co., Inc.  
Grain Warehouse - Oakes, ND  
License Application

Mr. Clark: I move the Commission issue an order in Case No. GE-935-03-607 granting the request of Crete Grain Company, Inc. to operate a 500,000-bushel grain warehouse at Oakes, North Dakota, effective October 15, 2003.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-296  
Montana-Dakota Utilities Co., a  
Division of MDU Resources Group, Inc  
Electric Rate Increase  
Application

Mrs. Wefald: I move the Commission adopt the Order Approving Settlement in Case No. PU-399-03-296, Montana-Dakota Utilities Co., Electric Rate Increase Application.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-2472-01-144  
Dakota Westmoreland Corporation  
Bond Release No. 3, Permit KRSB-8802  
Approval

Mrs. Wefald: I move the Commission approve Bond Release No. 3 for Surface Coal Mining Permit No. KRSB-8802, held by Dakota Westmoreland Corporation, to release all reclamation liabilities on 135.8 acres located in Section 7, T143N, R87W, in Oliver County, at the Beulah Mine. The release will become effective November 24, 2003, unless a formal hearing is requested.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-2472-03-524  
Dakota Westmoreland Corporation  
Notice of Violation No. 0303  
Violation

Mrs. Wefald: I move the Commission propose a civil penalty in the amount of \$1,500 for Notice of Violation No. 0303 issued to Dakota Westmoreland Corporation, Case No. RC-2472-03-524, and schedule an informal conference on the matter.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-402-03-578  
Great Plains Natural Gas Co.  
October 2003  
Purchased Gas Adjustment

Mr. Cramer: I move the Commission approve Great Plains Natural Gas Co.'s purchased gas adjustment for October 2003, Case No. PU-402-03-578.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-579  
Montana-Dakota Utilities Co., a  
Division of MDU Resources Group, Inc  
November 2003  
Purchased Gas Adjust. Propane

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s propane purchased gas adjustment for November 2003, Case No. PU-399-03-579.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-399-03-580  
Montana-Dakota Utilities Co., a  
Division of MDU Resources Group, Inc  
November 2003  
Purchased Gas Adj. Natural Gas

Mr. Cramer: I move the Commission approve Montana-Dakota Utilities Co.'s Natural Gas Purchased Gas Adjustment for November 2003, Case No. PU-399-03-580.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-400-03-477  
Northern States Power Company  
Gas Safety - Fargo Division  
Violation

Mr. Cramer: I move the Commission approve the Findings of Fact, Conclusions of Law and Order in Case No. GS-400-03-477, Northern States Power Co. gas pipeline safety violations in the Fargo Division, Fargo, North Dakota and assessing a penalty of six hundred dollars for these violations.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2842-03-115  
Buechler/Garrison Phase II  
2003-2006 AML Construction  
Project

Mr. Cramer: I move the Commission close Contract No. AM-456-03 with Thiem Drilling, Inc., 1502 West Broadway, Williston, North Dakota, 58801 for construction services at the Buechler/Garrison Phase II abandoned mine land site in McLean and Ward Counties.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2919-03-510  
AML Coal Fire Suppression  
Grant Application  
Close Contract

Mr. Cramer: I move the Commission award a contract to Hanson's Excavating, Inc., 9515 198th Street SW, Des Lacs, North Dakota 58733 in the amount of \$21,165 for construction services to reclaim coal outcrop fires in McKenzie County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2933-03-541  
AML Maintenance  
2003-2006 AML Construction  
Project  
Award Contract

Mr. Cramer: I move the Commission award a contract to Basaraba's Excavating & Dirt Works, LLC, 37610 12th Street NE, Wilton, North Dakota 58579 in the amount of \$20,029 for construction services for maintenance of abandoned mine lands in western North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2940-03-551  
Belfield Phase I  
2004-2007 AML Design  
Project  
Award Contract

Mr. Cramer: I move the Commission award a contract to Billings County Abstract Company, PO Box 187, Medora, North Dakota in the amount of \$250.00 for abstract services for title memoranda showing the current legal and equitable ownership interest, and date and manner ownership interest was acquired for Belfield Phase 1 in Billings County.

Mrs. Wefald: I second the motion.

Roll Call: All voting "Aye."

Case No. AM-2940-03-551  
Belfield Phase I  
2004-2007 AML Design  
Project  
Award Contract

Mr. Cramer: I move the Commission award a contract to Queen City Abstract, Title & Escrow, Inc., 148 West 1st Street, Dickinson, North Dakota 58601 in the amount of \$60.00 for abstract services for title memoranda showing the current legal and equitable ownership interest, and date and manner ownership interest was acquired for Belfield Phase 1 in Stark County.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2888-03-360  
Nextel West Corp./Qwest Corporation  
Interconnection Agreement and  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill Nextel West Corp. and Qwest Corporation for costs incurred to date in Case No. PU-2888-03-360, Nextel West Corp./Qwest Corporation, Interconnection Agreement and Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2630-03-349  
U.S. Link, Inc./Qwest Corporation  
Interconnection Agreement  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill U.S. Link, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2630-03-349, U.S. Link, Inc./Qwest Corporation, Interconnection Agreement Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2873-03-339  
Polar Telcom, Inc./Qwest Corporation  
Interconnection Agreement  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill Polar Telcom, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2873-03-339, Polar Telcom, Inc./Qwest Corporation, Interconnection Agreement Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2522-03-335  
TW Wireless, L.L.C./Qwest Corporation  
Interconnection Agreement  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill TW Wireless, L.L.C. and Qwest Corporation for costs incurred to date in Case No. PU-2522-03-335, TW Wireless, L.L.C./Qwest Corporation, Interconnection Agreement Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2799-03-334  
McLeod USA Telecommunications  
Services Inc./Qwest Communications  
Corporation  
Interconnection Agreement  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill McLeodUSA Telecommunications Services, Inc. and Qwest Corporation for costs incurred to date in Case No. PU-2799-03-334, McLeodUSA Telecommunications Services, Inc./Qwest Corporation, Interconnection Agreement Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2549-03-333  
WWC Holding Co., Inc./Red River  
Rural Telephone Association  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Red River Rural Telephone Association for costs incurred to date in Case No. PU-2549-03-333, WWC Holding Co., Inc./Red River Rural Telephone Association, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2548-03-332  
WWC Holding Co., Inc./Red River  
Telecom, Inc.  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Red River Telecom, Inc. for costs incurred to date in Case No. PU-2548-03-332, WWC Holding Co., Inc./Red River Telecom, Inc., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2538-03-330  
WWC Holding Co., Inc./United  
Telephone Mutual Aid Corporation  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and United Telephone Mutual Aid Corporation for costs incurred to date in Case No. PU-2538-03-330, WWC Holding Co., Inc./United Telephone Mutual Aid Corporation, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2542-03-329  
WWC Holding Co., Inc./Dakota Central  
Telecommunications Cooperative  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Dakota Central Telecommunications Cooperative for costs incurred to date in Case No. PU-2542-03-329, WWC Holding Co., Inc./ Dakota Central Telecommunications Cooperative, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."



Case No. PU-2543-03-328  
WWC Holding Co., Inc./Dakota Central  
Telecom I  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Dakota Central Telecom I, Inc. for costs incurred to date in Case No. PU-2543-03-328, WWC Holding Co., Inc./Dakota Central Telecom I, Inc., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2540-03-327  
WWC Holding Co., Inc./Midstate  
Telephone Company  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Midstate Telephone Company for costs incurred to date in Case No. PU-2540-03-327, WWC Holding Co., Inc./Midstate Telephone Company, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2539-03-326  
WWC Holding Co., Inc./Midstate  
Communications Incorporated  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Midstate Communications, Inc. for costs incurred to date in Case No. PU-2539-03-326, WWC Holding Co., Inc./Midstate Communications, Inc., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2553-03-325  
WWC Holding Co., Inc./Griggs County  
Telephone Company  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Griggs County Telephone Co. for costs incurred to date in Case No. PU-2553-03-325, WWC Holding Co., Inc./Griggs County Telephone Co., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2537-03-331  
WWC Holding Co., Inc./Turtle Mountain  
Communications, Inc.  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Turtle Mountain Communications, Inc. for costs incurred to date in Case No. PU-2537-03-331, WWC Holding Co., Inc./Turtle Mountain Communications, Inc., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2554-03-324  
WWC Holding Co., Inc./Moore and  
Liberty Telephone Company  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Moore and Liberty Telephone Company for costs incurred to date in Case No. PU-2554-03-324, WWC Holding Co., Inc./Moore and Liberty Telephone Company, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2555-03-323  
WWC Holding Co., Inc./Dickey Rural  
Telephone Cooperative  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Dickey Rural Telephone Cooperative for costs incurred to date in Case No. PU-2555-03-323, WWC Holding Co., Inc./Dickey Rural Telephone Cooperative, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2556-03-322  
WWC Holding Co., Inc./Dickey Rural  
Communications, Inc.  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Dickey Rural Communications, Inc. for costs incurred to date in Case No. PU-2556-03-322, WWC Holding Co., Inc./Dickey Rural Communications, Inc., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2882-03-321  
WWC Holding Co., Inc./Dickey Rural  
Access, Inc.  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and Dickey Rural Access, Inc. for costs incurred to date in Case No. PU-2882-03-321, WWC Holding Co., Inc./Dickey Rural Access, Inc., Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2684-03-320  
WWC Holding Co., Inc./North Dakota  
Telephone Company  
Interconnection Agreement  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill WWC Holding Co., Inc. and North Dakota Telephone Company for costs incurred to date in Case No. PU-2684-03-320, WWC Holding Co., Inc./North Dakota Telephone Company, Interconnection Agreement, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2745-03-278  
Midcontinent Communications/Qwest  
Corporation  
Interconnection Agreement  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill  
Midcontinent Communications and Qwest Corporation  
for costs incurred to date in Case No. PU-2745-03-278,  
Midcontinent Communications/Qwest Corporation,  
Interconnection Agreement Amendment, Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-2630-03-275  
U.S. Link, Inc./Qwest Corporation  
Interconnection Agreement  
Amendment  
Application  
Valuation Billing

Mr. Cramer: I move the Commission bill U.S. Link,  
Inc. and Qwest Corporation for costs incurred to date in  
Case No. PU-2630-03-275, U.S. Link, Inc./Qwest  
Corporation, Interconnection Agreement Amendment,  
Application.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:50 A.M.

---

Executive Secretary

---

TONY T. CLARK, PRESIDENT